United Nations A/67/L.52

General Assembly

Distr.: Limited
21 December 2012

Original: English

Sixty-seventh session
Agenda item 125
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft decision submitted by the President of the General Assembly

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly, having considered the letter dated 14 November 2012 from the Secretary-General transmitting a letter dated 29 October 2012 from the President of the International Tribunal for the Former Yugoslavia,[1] and taking note of the letter dated 21 December 2012 from the President of the Security Council drawing the attention of the President of the Assembly to the text of Council resolution 2081 (2012) of 17 December 2012:[2]

(a) Requests the International Tribunal to take all possible measures to complete its work as expeditiously as possible with the aim of facilitating the closure of the Tribunal, taking into account Security Council resolution 1966 (2010) of 22 December 2010, in which the Council requested the International Tribunal to complete its trial and appeals proceedings by 31 December 2014, and recognizes that concerns have been expressed that its current trial and appeal schedules go beyond that date;

(b) Requests the International Tribunal to present, by 15 April 2013, a consolidated comprehensive plan on the completion strategy, closure and transition to the International Residual Mechanism for Criminal Tribunals, as recommended by the Board of Auditors, and updated and detailed schedules for each of the individual cases with a timeline for each procedural part of the case;

(c) Decides to examine the consolidated comprehensive plan referred to in subparagraph (b) above before 30 June 2013 with a view to considering what further recommendations should be made to facilitate the progress of the International

[1] A/67/574-S/2012/845.
[2] A/67/653.

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Tribunal towards completion, closure and transition to the Mechanism as soon as possible, as requested in resolution 1966 (2010), which could include recommendations on all possible measures to scrutinize the operation and functioning of the Tribunal with the objective of ensuring the most efficient use of the Tribunal's resources and the completion of the Tribunal's mandate;

(d) Underlines that States should cooperate fully with the International Tribunal, including through the provision of information to assist the Tribunal in its work, as well as with the Mechanism;

(e) Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner:

Carmel Agius (Malta)
Liu Daqun (China)
Theodor Meron (United States of America)
Fausto Pocar (Italy)
Patrick Robinson (Jamaica)

(f) Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner:

Jean-Claude Antonetti (France)
Guy Delvoie (Belgium)
Burton Hall (Bahamas)
Christoph Flügge (Germany)
O-Gon Kwon (Republic of Korea)
Bakone Justice Moloto (South Africa)
Howard Morrison (United Kingdom of Great Britain and Northern Ireland)
Alphons Orie (Netherlands)

(g) Decides to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 1 June 2013 or until the completion of the cases to which they are assigned, if sooner:

Elizabeth Gwaunza (Zimbabwe)
Michèle Picard (France)
Árpád Prandler (Hungary)
Stefan Trechsel (Switzerland)

(h) Decides to extend the term of office of ad litem Judge Frederik Harhoff (Denmark), who is a member of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which he is assigned, if sooner;

(i) Decides to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chambers, until 31 December 2013 or until the completion of the cases to which they are assigned, if sooner:

Melville Baird (Trinidad and Tobago)
Flavia Lattanzi (Italy)
Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo).